



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites	
------	------------------	----------------	--------------	-----------------	------------------	--------------	--

AB-626 Underground storage tanks: design and construction requirements: exemption. (2025-2026)

SHARE THIS:  

Date Published: 04/10/2025 09:00 PM

CORRECTED APRIL 11, 2025

AMENDED IN ASSEMBLY APRIL 10, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 626

Introduced by Assembly Member Papan
(Coauthor: [Assembly Member Hadwick](#))

February 13, 2025

~~An act to add Section 25292.06 to the Health and Safety Code, relating to hazardous substances.~~ [An act to add Section 25292.06 to the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.](#)

LEGISLATIVE COUNSEL'S DIGEST

AB 626, as amended, Papan. Underground storage tanks: design and construction requirements: exemption.

Existing law provides for the regulation of underground storage tanks by the State Water Resources Control Board. Existing law requires underground storage tanks that are used to store hazardous substances and that are installed after January 1, 1984, to meet certain requirements, including that the primary containment be product tight and that the tank's secondary containment meet specified standards. Existing law provides that single-walled containers do not fulfill the requirement of an underground storage tank (UST) providing both a primary and a secondary containment, except under a specified circumstance. Existing law imposes various monitoring, inspection, replacement, and upgrading requirements on USTs installed on or before January 1, 1984, and used for the storage of hazardous substances. Existing law requires, by December 31, 2025, the owner or operator of a UST to permanently close that UST if the UST meets specified conditions.

This bill would exempt an operator from the tank closure requirement, described above, if the operator of a single-walled UST is acting in good faith to comply with the requirement to upgrade to a double-walled UST by September 30, 2025, and the operator meets specified conditions. The bill would require an operator seeking this exemption to submit a written request to the local enforcement agency, before September 30, 2025, and would require the local enforcement agency to review the request and issue a determination within 60 days of receipt. The bill would require the local agency to provide the determination to both the tank operator and the state board. By imposing additional duties on local officers, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law provides for the regulation of underground storage tanks by the State Water Resources Control Board. Existing law requires underground storage tanks that are used to store hazardous substances and that are installed after January 1, 1984, to meet certain requirements, including that the primary containment be product tight and that the tank's secondary containment meet specified standards. Existing law provides that single-walled containers do not fulfill the requirement of an underground storage tank (UST) providing both a primary and a secondary containment, except under a specified circumstance. Existing law imposes various monitoring, inspection, replacement, and upgrading requirements on USTs installed on or before January 1, 1984, and used for the storage of hazardous substances. Existing law requires, by December 31, 2025, the owner or operator of a UST to permanently close that UST if the UST meets specified conditions.~~

~~This bill would exempt an operator from the tank closure requirement, described above, if the operator of a single-walled UST is acting in good faith to comply with the requirement to upgrade to a double-walled UST by December 31, 2025, and the operator meets specified conditions. The bill would require an operator seeking this exemption to submit a written request to the local enforcement agency, and would require the local enforcement agency to review the request and issue a determination within 60 days of receipt. By imposing additional duties on local officers, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Vote: ~~majority~~2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 25292.06 is added to the Health and Safety Code, to read:*

25292.06. *(a) Notwithstanding any other provision of this chapter, an operator of a single-walled underground storage tank (UST) who is acting in good faith to comply with the requirements of Section 25292.05 to upgrade to a double-walled UST by December 31, 2025, shall not be subject to the penalties outlined in subdivision (b) of Section 25299, if all of the following conditions are met:*

(1) The operator has submitted a complete application for all necessary permits to upgrade or replace the single-walled UST no later than September 30, 2025.

(2) The operator has demonstrated to the satisfaction of the local enforcement agency that delays in obtaining the required permits are beyond the operator's control and are due to circumstances, including, but not limited to, administrative backlogs, incomplete reviews, or other permitting-related delays.

(3) The operator continues to operate the single-walled UST in compliance with all other applicable requirements of this chapter, including leak detection and secondary containment measures, to minimize environmental risks during the grace period.

(b) An operator seeking relief pursuant to this section shall submit a written request to the local enforcement agency, before September 30, 2025, including documentation of good faith efforts to comply and evidence of delays. The local enforcement agency shall review the request and issue a determination within 60 days of receipt. The local agency shall provide the determination to both the tank operator and the state board.

(c) This section does not waive the requirement for eventual compliance with Section 25292.05 or preclude the imposition of penalties for noncompliance with other provisions of this chapter.

SEC. 2. *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*

SEC. 3. *This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:*

In order to avert economic harm to operators of a single-wall underground storage tank who have made a good faith effort to comply with existing law, it is necessary that this bill take effect immediately.

SECTION 1. ~~Section 25292.06 is added to the Health and Safety Code, to read:~~

~~25292.06. (a) Notwithstanding any other provision of this chapter, an operator of a single-walled underground storage tank (UST) who is acting in good faith to comply with the requirements of Section 25292.05 to upgrade to a double-walled UST by December 31, 2025, shall not be subject to the penalties outlined in subdivision (b) of Section 25299, if all of the following conditions are met:~~

~~(1) The operator has submitted a complete application for all necessary permits to upgrade or replace the single-walled UST no later than December 31, 2025.~~

~~(2) The operator has demonstrated to the satisfaction of the local enforcement agency that delays in obtaining the required permits are beyond the operator's control and are due to circumstances, including, but not limited to, administrative backlogs, incomplete reviews, or other permitting related delays.~~

~~(3) The operator continues to operate the single-walled UST in compliance with all other applicable requirements of this chapter, including leak detection and secondary containment measures, to minimize environmental risks during the grace period.~~

~~(b) An operator seeking relief pursuant to this section shall submit a written request to the local enforcement agency, including documentation of good faith efforts to comply and evidence of delays. The local enforcement agency shall review the request and issue a determination within 60 days of receipt.~~

~~(c) This section does not waive the requirement for eventual compliance with Section 25292.05 or preclude the imposition of penalties for noncompliance with other provisions of this chapter.~~

SEC. 2. ~~If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

CORRECTIONS:

Heading—Line 2.
